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Promotion and protection of human rights:
Convention on the Rights of Persons with Disabilities

Programme budget for the biennium 2008-2009

Revised estimates resulting from the entry into force of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto

Report of the Advisory Committee on Administrative and Budgetary Questions

I. Introduction

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General on revised estimates resulting from the entry into force of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto (A/63/583). During its consideration of the report, the Committee met with representatives of the Secretary-General, who provided additional information and clarification.

2. The Advisory Committee notes that, in his statement on the programme budget implications of the draft resolution contained in document A/AC.265/2006/L.8/Rev.1 to the General Assembly at its sixty-first session (A/C.5/61/15), the Secretary-General informed the General Assembly that should the Convention on the Rights of Persons with Disabilities enter into force in 2007 and the Conference of States Parties to the Convention and the first session of the Committee on the Rights of Persons with Disabilities be held in 2007, the Secretariat would revert to the Assembly on meeting the conference-servicing requirements in accordance with established procedures. The Secretary-General also informed the Assembly at its sixty-first session of the financial implications, estimated at $10,031,900, that would arise were the Convention to enter into force during the biennium 2008-2009. The estimates have now been revised and amount to $2,385,700 for the biennium 2008-2009 and $14,190,400 for the biennium 2010-2011.

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II. Activities required under the Convention

3. As the Secretary-General indicated in section II of his report, the adoption of the Convention and the Optional Protocol thereto and their subsequent entry into force on 3 May 2008 has given and will give rise to the following activities:

(a) Convening of the first session of the Conference of States Parties to the Convention, which took place in New York on 31 October and 3 November 2008. At that session, it was decided that the second session of the Conference would be held in New York for a period of four days (one meeting per day) in August or September 2009;

(b) Establishment of the Committee on the Rights of Persons with Disabilities, which, at the time of entry into force of the Convention, consisted of 12 experts. After an additional 60 ratifications or accessions to the Convention, the membership of the Committee would increase to 18 members. The first election of the members of the Committee was held on 3 November 2008 at the meeting of the Conference of States Parties;

(c) Programming of the sessions of the Committee on the Rights of Persons with Disabilities, working on the assumption that the Committee would hold two five-day sessions per year at the headquarters of its substantive secretariat (the Office of the United Nations High Commissioner for Human Rights (OHCHR)) in Geneva. At its first regular session, the Committee would be expected, inter alia, to consider and adopt its rules of procedure and take a number of other decisions on the organization of its future work;

(d) Processing of reports submitted to the Committee by States parties to the Convention, which, under article 35 thereof, would be submitted within two years after the entry into force of the Convention and, subsequently, at least every four years;

(e) Receipt and consideration by the Committee, in closed meetings, of communications submitted pursuant to article 1 of the Optional Protocol by or on behalf of individuals claiming to be victims of violations of the Convention;

(f) Consideration by the Committee, under article 6 of the Optional Protocol, of alleged violations of the Convention committed by States parties. The Committee may, for that purpose, designate one or more of its members to conduct an inquiry, including, where warranted and with the consent of the State party concerned, a visit to the State party's territory;

(g) Measures taken under article 9 of the Convention to ensure accessibility of facilities and services during meetings of the Committee and of the Conference of States Parties.

III. Resources available within the programme budget for the biennium 2008-2009

4. In section III of his report, the Secretary-General outlined the resources available for activities relating to disability under section 9, Economic and social affairs, of the programme budget for the biennium 2008-2009. Those resources

provide for eight posts (1 P-5, 2 P-4, 2 P-3, 1 P-2/1 and 2 General Service (Other level)), as well as non-post resources totalling $55,000.

5. In paragraphs 18 and 19 of his report, the Secretary-General indicated that it is expected that the existing staff complement under section 9 would continue to deal with activities under the Convention, inter alia, by: providing substantive and technical services to the Conference of States Parties in cooperation with the New York office of OHCHR; preparing publications; and organizing capacity-building activities in support of the ratification and implementation of the Convention. Under section 23, Human rights, of the programme budget for the biennium 2008-2009, the Human Rights Treaties Branch of OHCHR assigns staffing on an ad hoc basis to meet the needs of the various treaty bodies as and when they arise. There is currently one P-4 staff member with thematic responsibility of disability issues. However, there are no posts dedicated specifically to matters relating to the Convention.

IV. Additional requirements under the programme budget for the biennium 2008-2009

6. In section IV of his report, the Secretary-General outlined the additional requirements under the programme budget for the biennium 2008-2009 arising from the entry into force of the Convention. A summary of the overall estimated requirements is contained in the table under paragraph 40 of the Secretary-General's report.

Section 23, Human rights

7. Under section 23, Human rights, three posts (1 P-4, 1 P-3 and 1 General Service (Other level)) are requested to provide minimal substantive and technical secretariat services to the States parties and the Committee on the Rights of Persons with Disabilities. The related costs for 2009 would amount to approximately $238,900 net. Upon enquiry, the Advisory Committee was informed that there would be no overlap between the functions of the incumbents of the three posts requested by the Secretary-General and the functions of the incumbents of the eight established posts in the Department of Economic and Social Affairs referred to in paragraph 4 above. The posts in the Department of Economic and Social Affairs will continue to deal with activities under the Convention by, inter alia, providing substantive and technical services to the Conference of States Parties, whereas the new posts proposed by the Secretary-General would be used to provide support to the Committee on the Rights of Persons with Disabilities.

8. The Secretary-General envisages that the Committee would hold two five-day sessions per year (see para. 3 (c) above). The Committee would initially comprise 12 experts but, given the requirement that the Committee members reflect a balance of experts with disabilities, it is envisaged that some experts would need to be accompanied by assistants. The related travel and per diem costs for 12 experts and 12 assistants would amount to $177,600 per session, or $355,200 per annum. An amount of $3,700 was required in 2008 for travel of staff.

9. With regard to visits to the territory of States parties for the purposes of conducting an inquiry (see para. 3 (f) above), the Secretary-General estimates that

each visit would be of at least one week's duration and would be carried out by three Committee members, accompanied by three assistants, four staff members and four interpreters. Upon enquiry, the Advisory Committee was informed that the Secretary-General's estimates are based on the assumption that four interpreters would travel with the Committee because, given that it is unlikely that victims to be interviewed would speak official languages of the United Nations, interpreters into local languages, as well as sign language(s), may be required. Thus, provision has been made for two interpreters for official languages of the United Nations and two interpreters for local languages, including sign language(s). The Secretary-General assumes that two such visits would be carried out in 2009, with the related travel and per diem costs estimated at $78,900 per visit, or $157,800 per annum. The Committee was also informed, however, that the actual requirements would be based on the specific needs of the Committee members concerned and of the victims being interviewed, as well as on the location of the visit.

10. In accordance with article 9 of the Convention, the Secretary-General estimated that specialized furniture and equipment for members of the Committee and its staff would be required. The total related one-time cost in 2009 is estimated at $51,000. As compared to the estimates previously reported for section 23, Human rights (see A/C.5/61/15, annex II), the estimates in the current report of the Secretary-General are higher, owing essentially to costing parameters in the biennium 2008-2009.

11. Under article 34 of the Convention, with the approval of the General Assembly, the members of the Committee would receive emoluments from the United Nations on such terms and conditions as the Assembly might decide. The Secretary-General expects that the provisions of General Assembly resolution 56/272, pursuant to which the level of all existing honorariums was set at $1 per year per member of the related organs, would also apply to the Committee on the Rights of Persons with Disabilities, unless the Assembly decides otherwise.

12. The Secretary-General also indicated, in paragraph 26 of his report, that dissemination of information on the Convention and the Optional Protocol would be carried out by OHCHR and the Department of Public Information of the Secretariat within their existing capacities.

13. As indicated by the Secretary-General in paragraph 27 of his report, the programmed outputs under section 23 of the programme budget for the biennium 2008-2009, subprogramme 2, Supporting human rights bodies and organs, would require modification.

Section 2, General Assembly and Economic and Social Council affairs and conference management

14. The additional requirements for the first session and the estimated additional requirements for the second session of the Conference of States Parties are set out in paragraphs 29 and 30 of the Secretary-General's report. The Advisory Committee notes, in particular, that the actual additional requirements arising from the first session, estimated at $24,800, will be reported to the General Assembly in the context of the second performance report for the biennium 2008-2009.

15. As the Secretary-General indicated in paragraph 30 of his report, the second session of the Conference of States Parties has not been programmed in advance and

therefore constitutes an addition to the United Nations calendar of meetings and conferences for 2009. The related conference-servicing costs for 2009 are estimated at $165,000 (at full cost). Those costs will be met, to the extent possible, from within existing resources under section 2.

16. The estimated additional requirements for the first and second regular sessions of the Committee on the Rights of Persons with Disabilities, each of which will last five days and will be held in 2009 at the United Nations Office at Geneva, are outlined in paragraphs 31 and 32 of the Secretary-General's report.

17. The Secretary-General indicated in his report that there have been several changes to the scope and workload of conference services in the biennium 2008-2009 as compared to those previously reported (see A/C.5/61/15, annex II). Those changes, which are described in detail in paragraph 33 of the Secretary-General's report, have resulted in lower requirements for conference-servicing resources under section 2 for the biennium 2008-2009 and a much lower requirement for documentation for the sessions of the Committee in 2009.

18. Accordingly, the revised estimate for conference services under section 2 for the biennium 2008-2009 now stands at $1,559,500, broken down into $189,800 for the first and second sessions of the Conference of States Parties, including sign-language interpretation in English and selected documentation in Braille, and $1,369,700 for the first two sessions of the Committee in 2009 with sign-language interpretation in all six official languages and full documentation in Braille.

19. Upon enquiry, the Advisory Committee was informed that, since the Department for General Assembly and Conference Management does not have in-house capacity for sign-language interpretation or the production of documents in Braille, the estimated additional requirements for the biennium 2008-2009 arising from the production of documentation in Braille would amount to $213,900 for the Committee on the Rights of Persons with Disabilities and $2,800 for the Conference of States Parties. The estimated additional requirements for the biennium 2008-2009 arising from the hiring of sign-language interpreters would amount to $368,800 for the Committee on the Rights of Persons with Disabilities and $7,000 for the Conference of States Parties.

Section 28, Management and support services

20. As the Secretary-General indicated in paragraph 36 of his report, the central support services requirements in connection with conference servicing, including provision of sound technicians and clerical support, are estimated at: (a) $2,000 under section 28D, Office of Central Support Services, for each meeting of the Conference of States Parties; and (b) $3,800 per session of the Committee under section 28E, Administration, Geneva, of the programme budget for the biennium 2008-2009. For the current biennium, the total requirements of $19,600 will be met from within existing resources provided for the biennium 2008-2009 under those sections.

21. The Secretary-General estimates that requirements arising from arrangements to ensure accessibility of facilities and services with regard to the meetings of the Committee and of the Conference of States Parties would be met, to the extent possible, within existing resources, in accordance with General Assembly decision 56/474. The Secretary-General also indicated in his report that requirements arising

in relation to measures taken to ensure compliance with article 9 of the Convention would be taken into account during further consideration of the renovation of the United Nations facilities. **The Advisory Committee recommends that the General Assembly request the Secretary-General to take the necessary steps to ensure that United Nations facilities worldwide are accessible to persons with disabilities.**

Section 35, Staff assessment

22. The Secretary-General indicated in paragraph 39 of his report that the proposals for the three new posts included under section 23, Human rights, for the biennium 2008-2009 would give rise, as from 2009, to additional requirements of $40,800 under section 35, Staff assessment. That provision would be offset by a corresponding amount under income section 1, Income from staff assessment.

V. Conclusion

23. The action required of the General Assembly is set out in paragraph 44 of the Secretary-General's report.

24. **The Advisory Committee recommends that the General Assembly:**

(a) **Take note that the total estimated additional requirements of $2,385,700 arising from the entry into force on 3 May 2008 of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto relate to: section 2, General Assembly and Economic and Social Council affairs and conference management ($1,559,500); section 23, Human rights ($806,600); section 28D, Office of Central Support Services ($12,000); section 28E, Administration, Geneva ($7,600); and section 35, Staff assessment ($40,800), offset by an equivalent amount under income section 1, Income from staff assessment, of the programme budget for the biennium 2008-2009, to be met as proposed under subparagraphs (b) and (c) below;**

(b) **Take note of the proposal of the Secretary-General that, of the total additional requirements, the amount of $1,414,100 ($1,394,500 under section 2, General Assembly and Economic and Social Council affairs and conference management; $12,000 under section 28D, Office of Central Support Services; and $7,600 under section 28E, Administration, Geneva, of the programme budget for the biennium 2008-2009) would be met from within the resources already appropriated under the programme budget for the biennium 2008-2009; and authorize the Secretary-General to report, as necessary, within the context of the second performance report on the programme budget for the biennium 2008-2009;**

(c) **Approve the proposals of the Secretary-General, which give rise to additional requirements of: $165,000 under section 2, General Assembly and Economic and Social Council affairs and conference management; $806,600 under section 23, Human rights; and $40,800 under section 35, Staff assessment, offset by an equivalent amount under income section 1, Income from staff assessment, on the understanding that such appropriations as may be necessary will be requested in the context of the consolidated statement of all**

statements of programme budget implications and revised estimates for the biennium 2008-2009;

(d) Take note of the proposed modifications to the outputs to be incorporated into the programme of work under section 23, Human rights, of the programme budget for the biennium 2008-2009 under subprogramme 2, Supporting human rights bodies and organs, as reflected in paragraph 27 of the Secretary-General's report.

25. The Advisory Committee notes that, in paragraph 44 (e) of his report, the Secretary-General requested the General Assembly to take note of his proposals for the biennium 2010-2011. **In the Committee's view, the appropriate vehicle for those proposals is the proposed budget outline for the biennium 2010-2011. The Committee further stresses that approval by the General Assembly of the Secretary-General's proposals relating to additional requirements for the biennium 2008-2009 should not be seen as prejudging in any way the outcome of consideration of the proposed programme budget for the biennium 2010-2011.**